

DOCKET NO: ISIS0064-100 (RTS-0175)**PATENT****REMARKS**

Claims 1, 2, 4-10, 12-15 are pending in the application. Claim 1 has been amended herein. New claims 21-30 have been added. No new matter has been added. Upon entry of the present amendment, claims 1, 2, 4-10, 12-15 will remain pending.

Claim 1 has been amended to recite "SEQ ID NO:38," support for which can be found in, for example, Table 1 at page 93 of the specification. Claim 1 has also been amended to recite that the oligomeric compound comprises "up to 50 nucleobases in length." Applicants teach at, for example, page 12, line 31 to page 13, line 2 of the specification, that the compounds can comprise "from about 8 to about 50 nucleobases." In addition, Table 1 of the specification (see pages 92-94) lists numerous oligomeric compounds. Thus, nucleobases can be added to the 5' and/or 3' ends of any of the sequences listed in Table 1 such that the total number of nucleobases in the resulting oligomeric compound is about 50 nucleobases. Accordingly, Applicants were clearly in possession of the claimed compounds.

I. The Claimed Invention Is Not Obvious

Claims 1, 2, 4-10 and 12-15 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over the combination of Ishibashi et al., J. Biol. Chem., 1994, 269, 29897-29902 (hereinafter, the "Ishibashi reference"), Sato et al., J. Biochem., 1998, 123, 1119-1126 (hereinafter, the "Sato reference"), Milner et al., Nature Biotechnol., 1997, 15, 537-541 (hereinafter, the "Milner reference"), and U.S. Patent No. 5,801,154 (hereinafter, the "Baracchini reference"). Although Applicants disagree with the reasoning set forth in the Final Rejection and Advisory Action, solely to advance prosecution of the present application, Applicants have amended claim 1 to recite "SEQ ID NO:38."

The combination of the cited references fails to teach or suggest an oligomeric compound comprising up to 50 nucleobases and comprising SEQ ID NO:38. There is no motivation provided by any combination of the references of record to make the claimed compounds, let alone any reasonable expectation of success. Accordingly, Applicants respectfully request the rejection under 35 U.S.C. §103(a) be withdrawn.

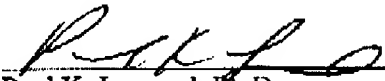
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II. Conclusion

The claims are in condition for allowance. An early Notice of Allowance is therefore earnestly solicited. Applicant invites the Examiner to contact the undersigned at (215) 665-6914 to clarify any unresolved issues raised by this response.

Respectfully submitted,


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